

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CLARENCE McCARY, THOMAS
FLOWERS, and SCOTT FLEMING

Plaintiffs,

- versus -

MASPETH SUPPLY CO. LLC, JOHN DOE 1
and JOHN DOE 2

Defendants.

ORDER

13-cv-5508

JOHN GLEESON, United States District Judge:

In this action, plaintiffs allege, *inter alia*, that defendants failed to pay overtime in violation of the Fair Labor Standards Act (“FLSA”). On December 6, 2013, plaintiffs filed a Notice of Voluntary Dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). ECF No. 6. It is this court’s understanding that settlements of FLSA claims require judicial approval. *See Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 334 (S.D.N.Y. 2012). Judicial approval of settlements of FLSA claims is necessary whether such a settlement results in a voluntary dismissal of claims under Rule 41(a)(1)(A)(i) or a stipulation of dismissal pursuant to Rule 41(a)(1)(A)(ii). Accordingly, if this notice of voluntary dismissal was filed based on a settlement agreement, the parties are ordered to electronically file a copy of the agreement and to show cause why the agreement should not be filed publicly by December 13, 2013.

So ordered.

John Gleeson, U.S.D.J.

Dated: December 9, 2013
Brooklyn, New York